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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/663,133

Applicant(s)

BOWSER, TODD S.

Examiner

JUNIOR O. MENDOZA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 20-27, 32-36, 41-48, 53 and 54 is/are pending in the application.
- 4a) Of the above claim(s) 15-19, 28-31, 37-40 and 49-52 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 20-27, 32-36, 41-48, 53 and 54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 09/16/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-14, 20-27, 32-36, 41-48 and 53-54 are drawn to a remote control interacting with a receiver, classified in class 725, subclass 153.
 - II. Claims 15, 16, 37 and 38 are drawn to a manual entry system for ratings, classified in class 725, subclass 13.
 - III. Claims 17-19, 39 and 40 are drawn to access control of a specific channel by using channel blocking, classified in class 725, subclass 27.
 - IV. Claims 28-31 and 49-52 are drawn to monitoring, classified in class 725, subclass 9.

Inventions I, II, III and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. See MPEP § 806.05(d).

In the instant case, subcombination I has separate utility such as a receiver in communication with another device.

In the instant case, subcombination II has separate utility such as metering and tracking user activity.

In the instant case, subcombination III has separate utility such as controlling and restricting access to particular programs.

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In the instant case, subcombination IV has separate utility such as monitoring by establishing a communication within a distribution system.

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

During a telephone conversation with Kenneth N. Nigon (Reg. No. 31,549) on January 18, 2008 a provisional election was made WITHOUT traverse to prosecute the invention of **Group I**, claims 1-14, 20-27, 32-36, 41-48 and 53-54. Affirmation of this election must be made by applicant in replying to this Office action. Claims 15 - 19, 28 - 31, 37 - 40 and 49 - 52 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

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or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 2, 4, 6, 9, 32, 33, 34, 35, 36, 53 and 54** are rejected under 35 U.S.C. 102(b) as being anticipated by Wischoeffler (Patent No US 6,426,705). Hereinafter referenced as Wischoeffler.

Regarding **claim 1**, Wischoeffler discloses an audio/video apparatus comprising:
a remote master control device configured to generate at least one master instruction (Master control unit [10] sends signal to device [40], column 2 lines 55-61 also exhibited on fig 1, where device [40] may be a television receiver, column 2 lines 12-13);

a secondary control device configured to generate at least one secondary instruction (Slave remote [80] sends signal to device [40], column 2 lines 55-61 also exhibited on fig 1);

and a signal processing device responsive to the at least one master instruction and selectively responsive to the at least one secondary instruction, wherein when the signal processing device receives one of the at least one master instruction, the signal processing device is non-responsive to a conflicting one of the at least one secondary instruction until the signal processing device receives an override instruction corresponding to the received master instruction (A control apparatus that can selectively enable or disable predefined functions of a user interface to prevent persons from accessing pre-selected features of the receiver, where the master control unit [10] overrides and controls any activity coming from slave remote [80], column 1 lines 53-67 also exhibited on fig 1).

Regarding **claim 2**, Wischoeffe discloses everything claimed as applied above (See claim 1), in addition, Wischoeffe discloses the apparatus of claim 1, wherein

the remote master control device is further configured to generate the at least one override instruction (Switch [30] on master control [10] is capable of sending signals to the receiver, where the signals override and enable or disable some or all of the functions from the slave control [80], column 3 lines 39-59 also exhibited on fig 1).

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Regarding **claim 4**, Wischoeffe discloses everything claimed as applied above (See claim 1), in addition, Wischoeffe discloses the apparatus of claim 1, wherein the at least one master instruction is an OFF instruction, the at least one secondary instruction is a secondary ON instruction, and the at least one override instruction is a master ON instruction (The user has means for providing a unique control signal output for selectively disabling or enabling one of the functions of the electrical device, for example an ON/OFF switch, column 3 lines 24-38).

Regarding **claim 6**, Wischoeffe discloses everything claimed as applied above (See claim 1), in addition, Wischoeffe discloses the apparatus of claim 1, wherein the signal processing device is further configured to receive an input signal having a video component for visual presentation at a presentation device (The master control unit may be a wireless remote control for a television receiver which connects to a television for content presentation, column 2 lines 5-29),

wherein the at least one master instruction is a master video mute instruction, and wherein the signal processing device inhibits the visual presentation of the video component in response to the master video mute instruction (The master control remote unit contains several function buttons [21-24], such as a content ON and OFF switch, column 3 lines 25-39 also exhibited on fig 1).

Regarding **claim 9**, Wischoeffe discloses everything claimed as applied above (See claim 1), in addition, Wischoeffe discloses the apparatus of claim 1, wherein the signal processing device presents a message at a presentation device responsive to one of the at least one master instruction generated by the remote master control device (The pressing of a button would cause a prompt screen to be displayed on the television so that the user is presented with a visual display to aid in a clear understanding of the functions that are to be or being disabled, column 4 lines 1-6).

Regarding **claim 32**, Wischoeffe discloses a method for configuring a signal processing device comprising the steps of:

receiving at least one master instruction from a remote master control device (Master control unit [10] sends signal to device [40], column 2 lines 55-61 also exhibited on fig 1, where device [40] may be a television receiver, column 2 lines 12-13);

receiving at least one secondary instruction from a secondary control device (Slave remote [80] sends signal to device [40], column 2 lines 55-61 also exhibited on fig 1);

configuring a signal processing device responsive to the at least one master instruction (Receiver device [40] responds to instructions sent by the master remote control [10] and the slave remote control [80] as exhibited on fig 1);

and selectively configuring the signal processing device responsive to the at least one secondary signal, wherein, when one of the at least one master instruction is received, the signal processing device is not configured in response to a conflicting one

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of the at least one secondary instruction until an override instruction corresponding to the received master instruction is received (A control apparatus that can selectively enable or disable predefined functions of a user interface to prevent persons from accessing pre-selected features of the receiver, where the master control unit [10] overrides and controls any activity coming from slave remote [80], column 1 lines 53-67 also exhibited on fig 1).

Regarding **claim 33**, Wischoeffler discloses everything claimed as above (see claim 32); in addition, claim 33 incorporates all the limitations of claim 4. Therefore, claim 33 stands rejected for the same reasons as stated above (see claim 4) since it is inherent to the apparatus claimed in claim 4.

Regarding **claim 34**, Wischoeffler discloses everything claimed as above (see claim 32); in addition, claim 34 incorporates all the limitations of claim 5. Therefore, claim 34 stands rejected for the same reasons as stated above (see claim 5) since it is inherent to the apparatus claimed in claim 5.

Regarding **claim 35**, Wischoeffler discloses everything claimed as above (see claim 32); in addition, claim 35 incorporates all the limitations of claim 6. Therefore, claim 35 stands rejected for the same reasons as stated above (see claim 6) since it is inherent to the apparatus claimed in claim 6.

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Regarding **claim 36**, Wischoeffe discloses everything claimed as above (see claim 32); in addition, claim 36 incorporates all the limitations of claim 9. Therefore, claim 36 stands rejected for the same reasons as stated above (see claim 9) since it is inherent to the apparatus claimed in claim 9.

Regarding **claim 53**, Wischoeffe discloses a system for configuring a signal processing device comprising:

means for receiving at least one master instruction from a remote master control device (Master control unit [10] sends signal to device [40], column 2 lines 55-61 also exhibited on fig 1, where device [40] may be a television receiver, column 2 lines 12-13);

means for receiving at least one secondary instruction from a secondary control device (Slave remote [80] sends signal to device [40], column 2 lines 55-61 also exhibited on fig 1);

means for configuring a signal processing device responsive to the at least one master instruction (Receiver device [40] responds to instructions sent by the master remote control [10] and the slave remote control [80] as exhibited on fig 1);

and means for selectively configuring the signal processing device responsive to the at least one secondary signal, wherein, when one of the at least one master instruction is received, the signal processing device is not configured in response to the receipt of a conflicting one of the at least one secondary instruction until an override instruction corresponding to the received master instruction is received (A control

apparatus that can selectively enable or disable predefined functions of a user interface to prevent persons from accessing pre-selected features of the receiver, where the master control unit [10] overrides and controls any activity coming from slave remote [80], column 1 lines 53-67 also exhibited on fig 1).

Regarding **claim 54**, Wischoeffe discloses a computer readable medium including software that is configured to control a general purpose computer to implement a method for configuring a signal processing device, the method comprising the steps of:

receiving at least one master instruction from a remote master control device (Master control unit [10] sends signal to device [40], column 2 lines 55-61 also exhibited on fig 1, where device [40] may be a television receiver, column 2 lines 12-13);

receiving at least one secondary instruction from a secondary control device, one of the at least one secondary instruction in conflict with one of the at least one master instruction (Slave remote [80] sends signal to device [40] where the receiver device [40] prioritizes the signal coming from the Master remote control [10] over the slave remote control [80], column 2 lines 55-61 also exhibited on fig 1);

configuring a signal processing device responsive to the at least one master instruction (Receiver device [40] responds to instructions sent by the master remote control [10] and the slave remote control [80] as exhibited on fig 1);

and selectively configuring the signal processing device responsive to the at least one secondary signal, wherein, when one of the at least one master instruction is

received, the signal processing device is not configured in response to a conflicting one of the at least one secondary instruction until an override instruction corresponding to the received master instruction is received (A control apparatus that can selectively enable or disable predefined functions of a user interface to prevent persons from accessing pre-selected features of the receiver, where the master control unit [10] overrides and controls any activity coming from slave remote [80], column 1 lines 53-67 also exhibited on fig 1).

4. **Claims 41, 42, 43 and 44** are rejected under 35 U.S.C. 102(b) as being anticipated by Reyes et al. (Pub No US 2002/0078442). Hereinafter referenced as Reyes.

Regarding **claim 41**, Reyes discloses a method for locking a remote control comprising the steps of:

receiving a lock keystroke sequence at a remote control device configured for use with a signal processing device, the signal processing device selectively configured responsive to at least one control instruction capable of being generated and transmitted to the signal processing device by the remote control device, the remote control device capable of being locked and unlocked, wherein the signal processing device is configured responsive to the at least one control instruction when the remote control device is locked and the signal processing device is not configured responsive to

the at least one control instruction when the remote control device is unlocked; (The lock key [158] facilitates locking and unlocking of the control functions of the control remote, all the functions are disable by locking the control remote, paragraph [0024] also exhibited on fig 1B; where a message stating "Remote control Locked" is displayed on the screen acknowledging that such feature has been activated, paragraph [0027] also exhibited on fig 1B).

and locking the remote control device responsive to the lock keystroke sequence such that the signal processing device is not configured responsive to the at least one control instruction (The lock key [158] facilitates locking and unlocking of the control functions of the control remote, all the functions are disable by locking the control remote, paragraph [0024] also exhibited on fig 1B).

Regarding **claim 42**, Reyes discloses everything claimed as applied above (See claim 41), in addition, Reyes discloses the method of claim 41, further comprising the steps of:

receiving an unlock keystroke sequence at the remote control device (User enters password in order to unlock remote control, paragraph [0027] also exhibited on figure 3A);

and unlocking the remote control device responsive to the unlock keystroke sequence such that the signal processing device is configured responsive to the at least one control instruction (By unlocking the control remote, all its functions are reactivated, paragraph [0028]).

Regarding **claim 43**, Reyes discloses everything claimed as applied above (See claim 41), in addition, Reyes discloses the method of claim 41, wherein when the remote control device is locked, the signal processing device does not acknowledge the at least one control instruction (the lock key [158] facilitates locking and unlocking of the control functions of the control remote, where a message stating "Remote control Locked" is displayed on the screen acknowledging that such feature has been activated, indicating that the receiver is not accepting any commands coming from the control remote, paragraph [0027] also exhibited on fig 1B)

Regarding **claim 44**, Reyes discloses everything claimed as applied above (See claim 41), in addition, Reyes discloses the method of claim 41, wherein when the remote control device is locked, the remote control device does not transmit the at least one control instruction (the lock key [158] facilitates locking and unlocking of the control functions of the control remote, all the functions are disable by locking the control remote, paragraph [0024] also exhibited on fig 1B)

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 25, 26, 27, 45, 46, 47 and 48** are rejected under 35 U.S.C. 102(e) as being anticipated by Allen (Patent No 6,489,986). Hereinafter referenced as Allen.

Regarding **claim 25**, Allen discloses an audio/video apparatus comprising:

a remote control device configured to generate at least one message instruction corresponding to a user defined message (Remote control generates an audio and video message which is displayed on a television as exhibited on fig 2);

and a signal processing device configured to present the user defined message at a presentation device responsive to the at least one message instruction (Receiver [212] receives the content sent by the control remote and presents on television [202] as exhibited on fig 2).

Regarding **claim 26**, Allen discloses everything claimed as applied above (See claim 25), in addition, Allen discloses the apparatus of claim 25, wherein

the user defined message is an audio message (Audio information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45),

the remote control device comprises a microphone for receiving the audio message from a user (Microphone [209] exhibited on figure 2),

and the remote control device communicates the audio message to the signal processing device for aural presentation at the presentation device (Audio information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45).

Regarding **claim 27**, Allen discloses everything claimed as applied above (See claim 25), in addition, Allen discloses the apparatus of claim 25, wherein

the user defined message is a video message (Video information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45),

the remote control device comprises a user input for receiving the video message from a user (Camera [208] exhibited on figure 2),

and the remote control device communicates the video message to the signal processing device for visual presentation at the presentation device (Video information

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is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45).

Regarding **claim 45**, Allen discloses a method for presenting a message on a presentation device comprising the steps of:

generating a message instruction at a remote control device (Remote control generates an audio and video message which is displayed on a television as exhibited on fig 2);

receiving the message instruction at a signal processing device (Receiver [212] receives the content sent by the control remote and presents on television [202] as exhibited on fig 2);

and presenting a message at a presentation device responsive to the message instruction generated by the remote control device (Receiver [212] receives the content sent by the control remote and presents on television [202] as exhibited on fig 2).

Regarding **claim 46**, Allen discloses everything claimed as applied above (See claim 45), in addition, Allen discloses the method of claim 45, wherein

the message is a user defined message (The user using the control remote generates his own video and audio message, as exhibited on fig 5).

Regarding **claim 47**, Allen discloses everything claimed as applied above (See claim 45), in addition, Allen discloses the method of claim 45, wherein

the message is an audio message (Audio information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45),

the remote control device comprises a microphone for receiving the audio message from a user (Microphone [209] exhibited on figure 2),

and the remote control device communicates the audio message to the signal processing device for aural presentation at the presentation device (Audio information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45).

Regarding **claim 48**, Allen discloses everything claimed as applied above (See claim 45), in addition, Allen discloses the method of claim 45, wherein

the message is a video message (Video information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45),

the remote master control device comprises a user input for receiving the video message from a user (Camera [208] exhibited on figure 2),

and the remote master control device communicates the video message to the signal processing device for visual presentation at the presentation device (Video information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 3, 10 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wischoeffe in view of Allen.

Regarding **claim 3**, Wischoeffe discloses everything claimed as applied above (See claim 1), in addition, Wischoeffe discloses a master control unit [10] and a slave remote [80] which send signals to device [40], column 2 lines 55-61 also exhibited on fig 1, where device [40] may be a television receiver, column 2 lines 12-13.

It is noted that Wischoeffe fails to explicitly disclose that the remote master control device comprises at least a RF interface; the secondary control device comprises at least an IR interface, and the signal processing device comprises at least a RF interface and an IR interface for communicating with the RF interface and the IR interface of the remote master control device and the secondary control device, respectively. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Allen.

In a similar field of endeavor Allen discloses that the remote control [204] includes a radio frequency transmitter [210], where the transmitter [210] may also be configured to transmit using infrared (IR), microwave, VHF or other frequencies along the electromagnetic spectrum, column 5 lines 15-20, which reads on "the remote master control device comprises at least a RF interface; the secondary control device comprises at least an IR interface, and the signal processing device comprises at least a RF interface and an IR interface for communicating with the RF interface and the IR interface of the remote master control device and the secondary control device, respectively"

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffe by specifically providing the elements mentioned above, as taught by Allen, for the purpose of using RF for the master controller since it provides a strong and reliable signal which is able to pass through walls and different objects, where the master controller may or may not be close to the receiver; on the other hand using IR for the secondary control is appropriate since such technology works best in confined walls and it is immune to radio interference.

Regarding **claim 10**, Wischoeffe discloses everything claimed as applied above (See claim 9), in addition, Wischoeffe discloses a master control unit [10] and a slave remote [80] which send signals to device [40], column 2 lines 55-61 also exhibited on fig 1, where device [40] may be a television receiver, column 2 lines 12-13.

It is noted that Wischoeffer fails to explicitly disclose that the message is an audio message, the remote master control device comprises a microphone for receiving the audio message from a user, and the remote master control device communicates the audio message to the signal processing device for aural presentation at the presentation device. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Allen.

In a similar field of endeavor Allen discloses that the message is an audio message (Audio information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45),

the remote master control device comprises a microphone for receiving the audio message from a user. (Microphone [209] exhibited on figure 2),

and the remote master control device communicates the audio message to the signal processing device for aural presentation at the presentation device (Audio information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffer by specifically providing the elements mentioned above, as taught by Allen, for the purpose of allowing the user of the master controller to transmit an audio message to the television receiver in a convenient way so that the viewer can receive messages.

Regarding **claim 11**, Wischoeffer discloses everything claimed as applied above (See claim 9), in addition, Wischoeffer discloses a master control unit [10] which sends signals to device [40], column 2 lines 55-61 also exhibited on fig 1, where device [40] may be a television receiver, column 2 lines 12-13; and a slave remote [80] which sends signals to device [40], column 2 lines 55-61 also exhibited on fig 1.

It is noted that Wischoeffer fails to explicitly disclose that message is a video message, the remote master control device comprises a user input for receiving the video message from a user, and the remote master control device communicates the video message to the signal processing device for visual presentation at the presentation device. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Allen.

In a similar field of endeavor Allen discloses that the message is a video message (Video information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45),

the remote master control device comprises a user input for receiving the video message from a user (Camera [208] exhibited on figure 2),

and the remote master control device communicates the video message to the signal processing device for visual presentation at the presentation device (Video information is received from the remote control [204] to the television [202] coupled to the STB [102], column 7 lines 39-45).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffer by specifically providing the

elements mentioned above, as taught by Allen, for the purpose of allowing the user of the master controller to transmit a video message to the television receiver in a convenient way so that the viewer can receive messages.

9. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Wischoeffe.

Regarding **claim 5**, Wischoeffe discloses everything claimed as applied above (See claim 1), in addition, Wischoeffe discloses the apparatus of claim 1, wherein the signal processing device is further configured to receive an input signal having an audio component for aural presentation at a presentation device (The master control unit may be a wireless remote control for a television receiver which connects to a television for content presentation, column 2 lines 5-29),

wherein the at least one master instruction is a master audio mute instruction, and wherein the signal processing device inhibits the aural presentation of the audio component in response to the master audio mute instruction (The master control remote unit contains several function buttons [21-24], such as volume regulation, column 3 lines 25-39 also exhibited on fig 1; however, Wischoeffe fails to disclose a master audio mute instruction. However, the examiner takes official notice of the fact that it was well known in the art to provide a master audio mute instruction in the form of a mute button).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffe by specifically providing master audio mute instruction, for the purpose of allowing the user to instantaneously silence the auditable part of the content being watched.

10. **Claims 7, 8, 20, 21, 22, 23 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wischoeffe in view of Reyes.

Regarding **claim 7**, Wischoeffe discloses everything claimed as applied above (See claim 1), in addition, Wischoeffe discloses a master control unit [10] which sends signals to device [40], column 2 lines 55-61 also exhibited on fig 1, where device [40] may be a television receiver, column 2 lines 12-13; and a slave remote [80] which sends signals to device [40], column 2 lines 55-61 also exhibited on fig 1; where the master control unit [10] overrides and controls any activity coming from slave remote [80], column 1 lines 53-67 also exhibited on fig 1, which reads on "wherein the remote master control device comprises a remote interface for transmitting the at least one master instruction and the at least one override instruction"

It is noted that Wischoeffe fails to explicitly disclose that the remote master control device is capable of being locked and unlocked, and wherein, when locked, the remote master control device is incapable of transmitting at least one of the at least one master instruction and the at least one override instruction. However, the examiner

maintains that it was well known in the art to provide such elements, as taught by Reyes.

In a similar field of endeavor Reyes discloses that the lock key [158] facilitates locking and unlocking of the control functions of the control remote, all the functions are disable by locking the control remote, paragraph [0024] also exhibited on fig 1B, which reads on "the remote master control device is capable of being locked and unlocked, and wherein, when locked, the remote master control device is incapable of transmitting at least one of the at least one master instruction and the at least one override instruction".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffer by specifically providing the elements mentioned above, as taught by Reyes, for the purpose of allowing a security feature on the remote controller which prevents any function from being activated accidentally; for instance, by young children who might be playing with the control remote.

Regarding **claim 8**, Wischoeffer discloses everything claimed as applied above (See claim 1), however, it is noted that Wischoeffer fails to explicitly disclose that the remote master control device is capable of being locked and unlocked and wherein, when locked, the signal processing device does not acknowledge at least one of the at least one master instruction and the at least one override instruction. However, the

examiner maintains that it was well known in the art to provide such elements, as taught by Reyes.

In a similar field of endeavor Reyes discloses that the lock key [158] facilitates locking and unlocking of the control functions of the control remote, where a message stating "Remote control Locked" is displayed on the screen acknowledging that such feature has been activated, indicating that the receiver is not accepting any commands coming from the control remote, paragraph [0027] also exhibited on fig 1B, which reads on "the remote master control device is capable of being locked and unlocked and wherein, when locked, the signal processing device does not acknowledge at least one of the at least one master instruction and the at least one override instruction".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffer by specifically providing the elements mentioned above, as taught by Reyes, for the purpose of allowing a security feature on the remote controller which prevents any function from being activated accidentally; for instance, by young children who might be playing with the control remote.

Regarding **claim 20**, Wischoeffer discloses a remote control for use with a signal processing device comprising:

a transmitter capable of communication with the signal processing device
(Master control remote [10] communicates with receiver device [40] as exhibited on figure 1);

and a controller coupled to the transmitter, wherein the controller is capable of generating and transmitting from the transmitter at least one control instruction capable of configuring the signal processing device (The master control remote [10] transmits several instructions to the receiver device [40], such as an ON and OFF instruction, channel up/down, volume up/down, etc, column 3 lines 24-38; where it is inherent that the master control remote [10] includes a microcontroller that allows it to communicate with the receiver device [40]),

It is noted that Wischoeffer fails to explicitly disclose that the remote control device can be locked and unlocked, and wherein the signal processing device is not configured by at least one of the at least one control instruction when the remote control device is locked. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Reyes.

In a similar field of endeavor Reyes discloses that the remote control device can be locked and unlocked (The remote control [115] can be locked and unlocked by pressing the lock button [158] and entering a password, paragraph [0027] also exhibited figure 3A);

and wherein the signal processing device is not configured by at least one of the at least one control instruction when the remote control device is locked (Once the control remote is locked, the remote control input is deactivated, paragraph [0028]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffer by specifically providing the elements mentioned above, as taught by Reyes, for the purpose of allowing a security

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feature on the remote controller which prevents any function from being activated accidentally; for instance, by young children who might be playing with the control remote.

Regarding **claim 21**, Wischoeffer discloses everything claimed as applied above (See claim 20); moreover, Wischoeffer discloses that there are user inputs coupled to the controller (Input Buttons 21-25 as exhibited on fig 1, where it is inherent that the master control remote [10] includes a microcontroller that allows it to communicate with the receiver device [40]).

It is noted that Wischoeffer fails to explicitly disclose that the remote control device is locked and unlocked responsive to a password entered using the user inputs (The remote control [115] can be locked and unlocked by pressing the lock button [158] and entering a password, paragraph [0027] also exhibited figure 3A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffer by specifically providing the elements mentioned above, as taught by Reyes, for the purpose of allowing a security feature on the remote controller which prevents any function from being activated accidentally; for instance, by young children who might be playing with the control remote.

Regarding **claim 22**, Wischoeffler discloses everything claimed as applied above (See claim 20); moreover, Wischoeffler discloses that there are user inputs coupled to the controller (Input Buttons 21-25 as exhibited on fig 1, where it is inherent that the master control remote [10] includes a microcontroller that allows it to communicate with the receiver device [40]).

It is noted that Wischoeffler fails to explicitly disclose that the remote control device is locked responsive to a single keystroke of one of the user input (The user may lock the control remote by pressing the lock button [158], paragraph [0027] also exhibited on fig 1B)

and unlocked responsive to a password entered using the user inputs (The remote control [115] can be unlocked by entering a password, paragraph [0027] also exhibited figure 3A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffler by specifically providing the elements mentioned above, as taught by Reyes, for the purpose of allowing a security feature on the remote controller which prevents any function from being activated accidentally; for instance, by young children who might be playing with the control remote.

Regarding **claim 23**, Wischoeffer discloses everything claimed as applied above (See claim 20); however, it is noted that Wischoeffer fails to explicitly disclose that the remote control device is locked, the remote control device does not transmit the at least one of the at least one control instruction. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Reyes.

In a similar field of endeavor Reyes discloses the apparatus of claim 20, wherein when the remote control device is locked, the remote control device does not transmit the at least one of the at least one control instruction (The lock key [158] facilitates locking and unlocking of the control functions of the control remote, all the functions are disable by locking the control remote, paragraph [0024] also exhibited on fig 1B).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffer by specifically providing the elements mentioned above, as taught by Reyes, for the purpose of allowing a security feature on the remote controller which prevents any function from being activated accidentally; for instance, by young children who might be playing with the control remote.

Regarding **claim 24**, Wischoeffer discloses everything claimed as applied above (See claim 20); however, it is noted that Wischoeffer fails to explicitly disclose the remote control device is locked, the signal processing device does not acknowledge the at least one of the at least one control instruction. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Reyes.

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In a similar field of endeavor Reyes discloses the apparatus of claim 20, wherein when the remote control device is locked, the signal processing device does not acknowledge the at least one of the at least one control instruction (The lock key [158] facilitates locking and unlocking of the control functions of the control remote, all the functions are disable by locking the control remote, paragraph [0024] also exhibited on fig 1B; where a message stating "Remote control Locked" is displayed on the screen acknowledging that such feature has been activated, paragraph [0027] also exhibited on fig 1B).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffe by specifically providing the elements mentioned above, as taught by Reyes, for the purpose of allowing a security feature on the remote controller which prevents any function from being activated accidentally; for instance, by young children who might be playing with the control remote.

11. **Claims 12, 13 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wischoeffe in view of Allport (Patent No 6,097,441). Hereinafter referenced as Allport.

Regarding **claim 12**, Wischoeffe discloses everything claimed as applied above (See claim 1), however, it is noted that Wischoeffe fails to explicitly disclose that the signal processing device receives an audio component, the remote master control device comprises a speaker and is configured for bi-directional communication with the signal processing device, and the remote master control device is capable of receiving the audio component from the signal processing device and aurally presenting the audio component at the speaker. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Allport.

In a similar field of endeavor Allport discloses the apparatus of claim 1, wherein the signal processing device receives an audio component (The remote control [10] is capable of receiving data [275] through an antenna [280], where the data may be audio and/or video, column 15 lines 12-20 also exhibited on fig 1),

the remote master control device comprises a speaker (The remote control includes a speaker [385], column 15 lines 25-27 also exhibited on fig 4)

and is configured for bi-directional communication with the signal processing device (Communication back and forth between the remote control unit [10] and the base station unit [75] can be established as exhibited on fig 2),

and the remote master control device is capable of receiving the audio component from the signal processing device (The remote control [10] is capable of receiving data [275] through an antenna [280], where the data may be audio and/or video, column 15 lines 12-20 also exhibited on fig 1)

and aurally presenting the audio component at the speaker (The remote control includes a speaker [385] for sound, column 15 lines 25-27 also exhibited on fig 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffe by specifically providing the elements mentioned above, as taught by Allport, for the purpose of allowing a viewer to receive the content being received on the television at any place in their home, which would allow the viewer to go to the kitchen, or any other place in the house, without missing out on what is being presented on the television at that moment.

Regarding **claim 13**, Wischoeffe discloses everything claimed as applied above (See claim 1), however, it is noted that Wischoeffe fails to explicitly disclose that the remote master control device includes a display and is configured for bi-directional communication with the signal processing device, the signal processing device receives a video component and is capable of passing the video component to the remote master control device, and the remote master control device is capable of receiving the video component from the signal processing device and visually presenting the video component on the display. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Allport.

In a similar field of endeavor Allport discloses the apparatus of claim 1, wherein the remote master control device includes a display (Display [15] exhibited on figure 1)

and is configured for bi-directional communication with the signal processing device (Communication back and forth between the remote control unit [10] and the base station unit [75] can be established as exhibited on fig 2),

the signal processing device receives a video component and is capable of passing the video component to the remote master control device (Base station unit [75] receives the data and transmits it to the remote control, column 15 lines 12-20 also exhibited on fig 2),

and the remote master control device is capable of receiving the video component from the signal processing device (The remote control [10] is capable of receiving data [275] through an antenna [280], where the data may be audio and/or video, column 15 lines 12-20 also exhibited on fig 2)

and visually presenting the video component on the display (The remote control includes a LCD [380] for showing the received video, column 15 lines 25-27 also exhibited on fig 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffer by specifically providing the elements mentioned above, as taught by Allport, for the purpose of allowing a viewer to receive the content being received on the television at any place in their home, which would allow the viewer to go to the kitchen, or any other place in the house, without missing out on what is being presented on the television at that moment.

Regarding **claim 14**, Wischoeffer discloses everything claimed as applied above (See claim 13), however, it is noted that Wischoeffer fails to explicitly disclose that the signal processing device down samples the video component prior to passing the video component to the remote master control device and the remote master control device visually presents the down sampled video component on the display. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Allport.

In a similar field of endeavor Allport discloses the apparatus of claim 13, wherein the signal processing device down samples the video component prior to passing the video component to the remote master control device and the remote master control device visually presents the down sampled video component on the display (Video digital data and/or portions to be sent to the remote control [10] are pass through and MPEG encoder [170] for compression, column 13 lines 27-31).

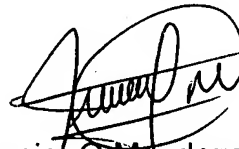
Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wischoeffer by specifically providing the elements mentioned above, as taught by Allport, for the purpose of decreasing the size of the content which is being transmitted to the control remote, this way less bandwidth is needed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR O. MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Monday - Thursday 9am - 5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Junior O Mendoza
Examiner
Art Unit 2623

/J. O. M./
Examiner, Art Unit 2623
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BRIAN PENDLETON
SUPERVISORY PATENT EXAMINER